

ASSEMBLY BILL

No. 1601

Introduced by Assembly Member Huffman

February 6, 2012

An act to amend Section 8670.41 of the Government Code, relating to oil spill prevention.

LEGISLATIVE COUNSEL'S DIGEST

AB 1601, as introduced, Huffman. Oil spill prevention: nontank vessel: certification of financial responsibility.

Existing law requires the administrator for oil spill response to charge a nontank vessel owner or operator a reasonable fee, to be collected with each application to obtain a certificate of financial responsibility. Existing law authorizes the use of revenue derived from the fee for specified purposes relating to oil spills.

This bill would limit the fee to an amount not to exceed \$3,250 per nontank vessel. The bill would require the revenue derived from the fees to be spent for those specified purposes related to oil spills.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8670.41 of the Government Code is
2 amended to read:
3 8670.41. (a) The administrator shall charge a nontank vessel
4 owner or operator a reasonable fee, to be collected with each
5 application to obtain a certificate of financial responsibility, in an
6 amount ~~that is based upon~~ *not to exceed three thousand two*

1 *hundred fifty dollars (\$3,250) per nontank vessel for the*
2 *administrator's costs in implementing this chapter relating to*
3 *nontank vessels. ~~Before January 1, 2005, the fee shall be two~~*
4 *~~thousand five hundred dollars (\$2,500), or less per vessel.~~*

5 (b) ~~The~~ *Notwithstanding subdivision (a), the* administrator may
6 charge a reduced fee under this section for nontank vessels
7 determined by the administrator to pose a reduced risk of pollution,
8 including, but not limited to, vessels used for research or training
9 and vessels that are moored permanently or rarely move.

10 (c) The administrator shall deposit all revenue derived from the
11 fees imposed under this section in the Oil Spill Prevention and
12 Administration Fund established in the State Treasury under
13 Section 8670.38.

14 (d) Revenue derived from the fees imposed under this section
15 ~~may~~ *shall* be spent for the purposes listed in subdivision (e) of
16 Section 8670.40, and ~~may~~ *shall* not be used for responding to an
17 oil spill.